THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.26092 OF 2005

Dt.7.12.2005

Between:

Smt.P.Chandrakala … Petitioner

And

The Joint Collector, Chittoor,

Chittoor District and 2 others … Respondents

ORDER:

Heard the learned counsel for the petitioner as well as the learned Government Pleader for Civil Supplies.

The petitioner submits that consequent upon the death of one R.Venkatappa Naidu, permanent fair price shop dealer of Kuntipudi Village, the Revenue Divisional Officer, Tirupati issued notification dated 12.3.1998 for filling up the said vacancy. Accordingly, the petitioner filed her application and she was interviewed and selected as permanent dealer and she was appointed as such on permanent basis by proceedings dated 4.6.1998. It is stated that from the date of her appointment as fair price shop dealer of the said village, she has been distributing essential commodities without any complaint whatsoever for the last five years and her authorization is being extended from time to time and the same is valid upto 31.3.2006.

While so, when the petitioner approached the 3rd respondent for lifting the essential commodities for the month of December, 2005, after paying the requisite amount of Rs.15,394/- by way of demand draft dated 1.12.2005 drawn on A.P.Co-operative Central Bank, Srikalahasti, the 3rd respondent refused to supply the same without assigning any reasons and without serving any order. It is stated that the permanent dealership of the petitioner is not suspended or cancelled.

If that be so, the action of the 3rd respondent in refusing to supply the essential commodities to the petitioner is illegal and without jurisdiction. As long as the authorization of the petitioner is not suspended or cancelled, the petitioner is entitled to supply the essential commodities.

Having regard to the facts and circumstances of the case, the respondents are directed to supply essential commodities to the petitioner as long as her authorization is subsisting, which is not cancelled or suspended in accordance with law.

The writ petition is disposed of accordingly. No costs.

(V.ESWARAIAH, J.)

7.12.2005.

Note: Issue copy by tomorrow

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